



**Islamic Republic Of Afghanistan
Kabul Municipality**



URBAN PLANNING POLICY
DEPARTMENT OF URBAN PLANNING

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Signature: _____



Islamic Republic Of Afghanistan Kabul Municipality



URBAN PLANNING POLICY

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1.0 Introduction

Urban planning (urban, city, and town planning) is a technical and political process concerned with the control of the use of land and design of the urban environment, including transportation networks, to guide and ensure the orderly development of settlements and communities. It concerns itself with research and analysis, strategic thinking, urban design, public consultation, policy recommendations, implementation and management.

A plan can take a variety of forms including: strategic plans, comprehensive plans, neighborhood plans, regulatory and incentive strategies, or historic preservation plans. Planners are often also responsible for enforcing the chosen policies.

In Kabul City there are various kinds of urban problems. Citizens of Kabul face difficulty in their everyday lives caused by traffic jams, unstable water and power supply, lack of access to education, health, and other public services. These problems are mostly reflected to the delay in infrastructure development throughout the city.

However, in the case of Kabul City, a very rapid population spike has been taking place; this is further aggravated by the need for rehabilitation of existing infrastructure, almost all of which were heavily damaged during the past few decades. As a result of this, the majority of the city's built-up area is now covered by unplanned settlements

In the case of Kabul City, however, a very rapid growth of population has been taking place, on top of the needs for rehabilitation of existing infrastructure, almost all of which were heavily damaged during the time of conflicts. As a result, the majority of the city's built-up area is now covered by unplanned settlements, causing further difficulty for infrastructure development. An effective urban planning policy will govern the future development of Kabul City and help to lead the city towards economic development.

2.0 Purpose and Objectives

The purpose of the Urban Planning Policy is to identify and define the common goals and values of citizens, businesses, property owners, and local agencies in Kabul City that improve their quality of life. A coherent, effective and efficient urban planning policy will direct and coordinate the future physical management of Kabul City. The objectives of this policy are to create a place for the KM to understand the scope of the Urban Planning department and their areas of responsibility.

The vision of the urban planning policy and department is about creating an attractive and safe city that evokes pride, passion and a sense of belonging. In addition, it invokes a sense of a city of where the people of all ages and abilities can enjoy a good quality of life. A city with:

- Vibrant neighborhoods which are part of complete communities;
- Affordable housing choices that meet the needs of everyone throughout the city;
- Attractive, tree-lined streets with shops and housing that are made for sidewalks for walking, bicycles and other small modes of transportation;
- A strong and competitive economy with a vital downtown that creates and sustains well-paid, stable, safe and fulfilling opportunities for the people of Kabul;



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- Clean air, land and water;
- Green spaces for all communities and public spaces that bring people together;
- A wealth of recreational opportunities that promote health and wellness;
- A vibrant set of cultural facilities which are open to all people of Kabul; and
- Beautiful architecture and effective urban design that promotes a sense of community.

A successful city is one with a competitive advantage over other locally, nationally and internationally. Through its vibrant quality of life Kabul will attract and retain people who have capital, skills, knowledge, ingenuity and creativity. Success for Kabul City will be come by seizing new opportunities based on these principals.

This policy was created to help our community better understand the role urban planning plays as a community resource and asset; to keep our community safe and reduce risks from an improperly managed urban space; and to achieve a more attractive, healthy and livable city.

3.0 Definitions

3.01 Affordable Housing: A housing unit (owned or rented) that costs the occupants less than 30% of the occupants income. Numbers vary based on family size.

3.02 Average Daily Traffic Volume (ADT): The average number of vehicles passing a specific point during a 24-hour period.

3.03 Benchmark: A point of reference from which measurements are made.

3.04 Brownfield: Abandoned, idled, or under-utilized industrial and commercial facilities where expansion or redevelopment is complicated by real or perceived environmental contamination.

3.05 Building Codes: Local government regulations that prescribe minimum standards for the construction and maintenance of buildings.

3.06 Building Permit: A permit issued by the Department of Urban Planning. Various types of building permits authorize structural, electrical, heating and cooling, plumbing, or wrecking work.

3.07 Capital Improvement Program (CIP): The program whereby City departments make capital investments in the community. Examples are bridge repair and replacement, curb and sidewalk repair and replacement, traffic signal improvements, police and fire station construction, wastewater treatment projects, flood and drainage projects, park improvements, public housing improvements, road construction and repair, and other neighborhood and housing improvement projects.

3.08 Central Business District (CBD): A term generally used to describe the heart of an urban downtown.



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3.09 Database: Stored information that is usually kept in the form of a computer table, chart, or file.

3.10 Ministry of Urban Development Association (MUDA): A cabinet-level federal agency that promotes housing and urban development in Afghanistan through policy formulation, planning and investments.

3.11 Economic Impact Statement (EIS): An analysis of certain existing or proposed developments to determine their economic impact on the community.

3.12 Eminent Domain: The right of a government to acquire the lands and rights necessary for a public use if the government is unable to agree with the owner of the land or right on damages or the purchase price. The government may exercise eminent domain to condemn the land or right necessary to carry out a public use.

3.13 Environmental Impact Statement (EIS): An analysis of certain existing or proposed developments to determine their impact on the surrounding environment.

3.14 Geographic Information System (GIS): A means of producing, analyzing, and storing computerized maps.

3.15 Global Positioning System: The Global Positioning System (GPS) is a constellation of 24 satellites that orbit the Earth. This constellation, when used with a GPS receiver, makes it possible for a person to pinpoint their geographic position. GPS uses these satellites as reference points to calculate positions within meters (actual distance depends on the system being used).

3.16 Heavy Commercial: A land use plan category recommending commercial uses with extensive outdoor storage and display, such as mobile home sales or sales of heavy construction equipment.

3.17 Heavy Industrial: A land use plan category recommending industries that produce smoke, noise, and have outside storage. Because of their nature, they should be located away from residential areas. Some examples are motor truck terminals, concrete manufacturing, scrap metal reprocessing, and auto and truck component manufacturing.

3.18 Household: A household includes all the persons who occupy a housing unit. The occupants may be a single family, one person living alone, two or more families living together, or any other group of related or unrelated persons who share living arrangements.

3.19 Housing Units: A housing unit is a house, an apartment, a mobile home or trailer, a group of rooms or a single room occupied as separate living quarters or, if vacant, intended for occupancy as separate living quarters. Separate living quarters are those in which the occupants live and eat separately from any other persons in the building and which have direct access from outside the building or through a common hall.



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3.20 Land Bank: A pool of acquired and assembled land in urban areas packaged into sites suitable for redevelopment.

3.21 Landmark: An individual, physical element that serves as a reference point in locating a node or district.

3.22 Light Industrial: A land use plan category recommending industries that conduct their entire operations within completely enclosed buildings and do not have objectionable characteristics that extend beyond their property lines. Some examples are jewelry manufacturing and engraving, warehousing, construction companies, upholstering, paper box and paper products manufacturing from finished paper, and manufacturing of optical goods.

3.23 Linear Park: A land use plan category recommending public trails that can be located on or parallel to floodways, streams, parkways, wooded areas, and abandoned railroad rights-of-way or other public easements.

3.24 Low Density Residential: A land use plan category recommending 2 - 5 dwelling units per acre. Development may be single-family and two-family houses.

3.25 Medium Density Residential: A land use plan category recommending 5 - 15 dwelling units per acre. Development may be single-family houses, two-family houses, and multi-family apartments.

3.26 Memorandum of Understanding: A written agreement that clarifies the enforcement roles and responsibilities of each agency in areas of shared authority.

3.27 Metropolitan Area: The concept of a metropolitan area (MA) is one of a large population nucleus, together with adjacent communities that have a high degree of economic and social integration with that nucleus. Some MA's are defined around two or more nuclei. The MA classification is a statistical standard, developed for use by Federal agencies in the production, analysis, and publication of data on MA's.

3.28 Neighborhood Park: A land use plan category recommending a park of between 5 and 25 acres that serves the immediately surrounding neighborhood. A neighborhood park usually includes facilities for basketball, tennis, picnicking, and a playground.

3.29 Neighborhood Shopping Center: A land use plan category recommending a commercial center on one parcel that usually has a grocery store or drugstore as an anchor.

3.30 Not in My Back Yard (NIMBY): Land uses that most people don't want near their homes, such as power plants and junk yards.

3.31 Objective: A quantifiable refinement of a goal or means of achieving a goal. Objectives often relate to more than one goal.



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3.32 Office Buffer Commercial: A land use plan category recommending low intensity office uses such as medical services, insurance, real estate, legal services, and other similar office uses. Buildings are generally one or two story.

3.33 Office Center Commercial: A land use plan category recommending office park type development that generally includes three or more buildings and an internal road system. Buildings are generally more than two stories.

3.34 Program: A proposal with an end product that is not physical in nature but is a plan for dealing with an issue. Programs are direct outgrowths of objectives.

3.35 Project: A proposal with an end product that is physical in nature. As with programs, projects are direct outgrowths of objectives.

3.36 Quality of Life: The attributes or amenities that combine to make an area a good place to live. Examples include the availability of political, educational, and social support systems; good relations among constituent groups; a healthy physical environment; and economic opportunities for both individuals and businesses.

3.37 Regional Park: A land use plan category recommending a park of 100 acres or more that serves a population within a one hour driving distance. A regional park usually includes facilities such as play areas, picnic areas, shelters, nature centers, and trails. They also usually include rivers, lakes, or other natural features to provide the park users a natural retreat from the urban environment.

3.38 Regional Transportation Plan (RTP): This plan guides the development of the area's transportation system for the next 25 years. It is developed through the cooperation of citizens, planners, engineers, and public officials.

3.39 Request for Proposal (RFP): Public agencies use the RFP process to solicit proposals for new projects and programs. An example is that the RFP process is frequently used when a municipality seeks a developer for publicly-owned property. There is a public advertisement of the type of development being sought, and interested firms may submit information explaining why their firm is the best qualified to develop the property. A selection is then made based on the proposals submitted.

3.40 Request for Qualifications (RFQ): Public agencies use the RFQ process to solicit information regarding individuals or firms that might provide professional services to the agency. An example is that the RFQ process is frequently used when a municipality seeks to hire an architect or engineering firm. There is a public advertisement of the services being sought, and interested firms may submit information explaining why their firm is the best qualified to perform the services. A selection is then made based on the qualifications submitted.

3.41 Rezoning: Changing the zoning on a particular piece of property.



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3.42 Special Use: A land use plan category recommending a wide variety of special uses including churches, schools, government property, power substations, switching stations, non-profit agencies, nursing homes, hospitals, union halls, and cemeteries.

3.43 Traffic Calming: Usually a component of traditional neighborhood design, traffic calming uses physical design features, such as street trees, landscaping bump outs, and textured pavement to slow down automobile traffic passing through neighborhood areas. The intention is to improve the quality of life in urban neighborhoods and to make neighborhoods more pedestrian friendly.

3.44 Urban Conservation: A land use plan category given to land possessing special environmental or valuable natural characteristics, such as wetlands, woodlands, and aquifers.

3.45 Value: An ideal, custom, institution, etc. that the people of a society try to achieve.

3.46 Variance: Exceptions to current zoning laws.

3.47 Very Low Density Residential: A land use plan category recommending 0 - 2 dwelling units per acre. Development may be single-family houses with two-family houses permitted on corner lots.

3.48 Vision Statement: A vivid, imaginative conception of the future.

3.49 Wetlands: Land that has wet or spongy soil. These areas are often important wildlife habitats.

4.0 Scope:

This policy applies to the Department of Urban Planning and all other departments involved in the city planning in Kabul City.

5.0 Guidance

The policies listed below are generally applicable and intended for the entire Kabul City Urban Planning existing in rights-of-way, private and public properties, streets, land use, etc.

5.01 Responsibilities:

5.01.01. The Urban Planning department shall adopt measures for ensuring means of livelihood for the residents living in the respective area.

5.01.02. The Urban Planning department shall adopt measures for construction and maintenance of wells, *kariz* (subterranean irrigation canals, ponds, and potable water reservoirs by the relevant sources.

5.01.03. The Urban Planning department shall adopt measures for the protection and creation of urban green spaces and ensuring cleanliness and sanitation in the relevant areas, as well as for the protection of bio-environment.



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5.01.04. The Urban Planning department shall adopt measures for construction of roads, playgrounds, public bathhouses, emporiums, markets and cultural and civic centers through the engagement of private investment in areas under planning to the extent possible.

5.01.05. The Urban Planning department shall value residential houses according to rules and regulations.

5.01.06. The Urban Planning Department shall fix rental of municipal properties in accordance with the law provision.

5.01.07. The Urban Planning department shall adopt measures for allotment of land-plots for the construction of residential houses and commercial sites in accordance with the relevant law provision.

5.01.08. The Urban Planning department shall expropriate land in accordance with the provisions of the land expropriation law.

5.01.09. The Urban Planning department shall adopt measures for providing assistance in collecting data on demographic statistics.

5.01.10. The Urban Planning department shall review terms and conditions of affidavits, contracts and leases regarding municipal properties.

5.01.11. The Urban Planning department shall allocate burying grounds for interment of the dead (graveyards).

5.01.12. The Urban Planning department shall take decisions regarding demolition of building at the end of their useful life based on the recommendation of the technical committee.

5.01.13. The Urban Planning department shall prevent arbitrary construction of buildings with the help of security authorities of the relevant area.

5.01.14. The department Urban Planning as well as their relevant branches shall prepare and modify master plans in cooperation and consultation with the municipalities and shall be implemented by the municipality after being confirmed by the Council of Ministers and approved by the head of the Islamic Emirate of Afghanistan.

5.01.15. The Urban Planning department shall implement the Kabul Master Plan to its due authority.

5.01.16. The Urban Planning department shall ensure that all buildings, roads, sidewalks and other infrastructure related activities are built with international standards in mind. The Urban Planning department shall enforce all sure codes in due force.



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5.01.17. The Urban Planning department shall distribute all new building permits through a transparent process in relation to the rules and regulations of the Islamic Republic of Afghanistan. The building permits shall be signed by the H.E. Mayor.

5.01.18. Attached as Annex A are the rules governing the Kabul Master Plan.

5.01.19. Attached in Annex B are the Municipality's rules and regulations regarding building permits in greater Kabul City. Attached is the Standard Operating Procedure for acquiring such permits.

6.0 Policy Evaluation

This policy should be regularly evaluated to ensure it is enabling and effectively moving Kabul Municipality towards its goals of being a safe and secure city that benefits all members of the community.

7.0 Policy Enforcement

The contents of this policy are enforceable after His Excellency the Mayor's approval.



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Annex A.

Regulation on Implementation of Kabul City Master Plan

OG 794 year 2000/ 10,Rajabul murajab,1421

Chapter I

General provisions

Article 1

This Regulation is enacted to implement Kabul Master Plan, consider the conditions for constructing buildings, and identify the obligations of individuals, institutions and implementing unit of Kabul Master Plan.

Article 2

The Engineering and Planning Department of Kabul Municipality shall explain and implement Kabul Master Plan.

Article 3

Kabul Master Plan based on development and economical plan for the country, shall be implemented within 20 years in order to expand Kabul city in the future considering different factors like, growth of city population ,planning structure, city transportation system, engineering networks, industrial, residential and services centers.

Article 4

In order to implement Kabul master plan, for different parts of city detailed plans shall be designed.

Article 5

Adjustment of Kabul master plan may be carried out in urgent cases based on the request of Kabul master plan implementing unit, approval of council of ministers, and acceptance of Emirate authority (head of state).

Chapter II

Preconditions for designing urban projects

Article 6

Designing of projects and construction of buildings in the city, by individuals and institutions, may be carried out based on the Kabul Master Plan.



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Article 7

Institutions intending to design urban projects, taken in to account Sharia veiling, shall observe the following constructional preconditions:

- 1) Presenting financial evidences for funding the expenses of construction of project.
- 2) Taking measures to design the project after land is allotted, based on the constructional conditions of relevant project.
- 3) Arrangement of engineering and planning program for the design.
- 4) Designing of maps based on Kabul Master Plan.
- 5) Designing of the maps perfectly, in a comprehensive way, considering condition related to detailed plan.
- 6) Receiving preliminary required materials from the bidder to design the map.
- 7) Using graphic materials of the project which must have connection with the urban planning affairs based on the maps and topography.
- 8) Signature of basic map of project by head of engineering and planning department ,head of engineers and head of architecture of designing project
- 9) Submission of a copy of maps of the project to implementing administration of master plan
- 10) Acquiring agreement from Kabul Municipality, Administrations for Maintenance of Historical and Cultural Monuments, Kabul Fire Department, Department of Protection of City Natural Environment, Telecommunication, Power and Water Supply Administrations regarding the designed maps.
- 11) Controlling of constructional maps, by Implementing Unit of Master Plan, and its approval by Council of Department of Engineering and Planning of Kabul Municipality.
- 12) Observation of engineering networks, renovation of greenery in designing of different types of projects, in order to ensure sanitarian conditions ,protection of natural environmental and the high level of prosperity for people.

Article 8

Reserving areas(precautionary areas) of Kabul Master Plan may be used in case it is considered necessary for low rise building (1,2&3 stories buildings) covering 300-500 square meter area.

Article 9



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Areas of low rise building of Master Plan may be used for constructing three to five stories building, in case needed, considering the provision outlined in article (5) of this decree.

Chapter III

Preconditions for constructing high rise buildings

Article 10

Institution and individual who receive area of the land shall get agreement of the delegation (commission) which is appointed for constructional maps of relevant projects

Article 11

- 1) Individual who receives area of the land (land plot) for constructing public utility-based- building or industrial, after approval of the map, shall start constructional work until six months, otherwise, the land shall be restored and distributed to other eligible applicant.
- 2) Granting of legal deed for purchasing land, shall be carried out to client, after he completes 50% of building based on the map,

Article 12

Completion of high rise and low rise buildings, out side residential areas, shall be carried out within the specific following periods and shall be put in to exploitation.

- Building having until four stories, covering till 500square meter area shall be completed until (18) months
- Five stories buildings, covering till 500 square meter area shall be completed till (24) months.
- Buildings containing 6-7 stories, covering until 500 square meter area shall be completed till 4 years. Buildings containing 7-8 stories, covering 500 square meter area shall to be completed till 6 years.
- For more than nine stories building , for two stories one year more, in case 500 square meter is added to the low rise and high rise buildings which are out side the residential areas ,covering until 500 square meter , six months more shall be added to the mentioned periods.

Article 13

Surrounding wall for high rise building may only be carried out in case needed with the permission of Implementing Unit of Master Plan.

Article 14



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Engineering networks shall be established before construction of roads and ways.

Chapter IV

Conditions for constructing low rise buildings

Article 15

Construction of low rise residential projects shall be carried out based on the map designed and approved by implementing unit of Master Plan.

Article 16

Construction of low rise residential buildings shall be carried out within the following periods:

- 1) One floor within two years.
- 2) Two floors within four years.

Article 17

Division of low rise, residential land plot which is less 500 square meters shall not be permitted.

Article 18

Low rise buildings shall be constructed based on Statistic criteria and requirements.

Chapter V

Conditions for construction of social, cultural and services buildings

Article 19

Cultural, social and services buildings of the projects, shall be constructed simultaneously with, construction of residential houses of the project.

Article 20

Commercial centers (building) of the projects shall be constructed based on the plan, and any change in any period, may be carried out based on the agreement from Implementing Unit of Master Plan.

Article 21

Social, cultural and services buildings in projects containing low rise and high rise buildings, shall be taken into account in one complex

Article 22

Services building may be used based on the characteristics of the map.

Chapter VI



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Conditions for constructing industrial buildings and stocks

Article 23

Construction of industrial buildings and stocks, may be carried out based on the Kabul Master Plan, after approval of Implementing Unit of Master Plan, base on the general plan for the area

Article 24

While identifying (verifying) the location for industrial buildings and stocks, defensive zone, sanitary zone and Sharia veiling shall be taken in to account.

Article 25

Internal area for constructing g industrial and social administrations and stocks shall not cover more than 50% of the area.

Article 26

Conditions for confutation of used fluidic and semi fluidic material shall be considered while constructing the urban canalization network.

Chapter VII

Conditions for constructing road, boulevards and parks

Article 27

Construction of roads, boulevards and parks, shall be started and completed ,at the same time with construction of buildings related to power, greenery, sidewalk and streams,

Article 28

Digging out of boulevard, side walk and the parks without previous permission of Implementing Unit of Kabul Master Plan, Traffic Department, Telecommunication, Water and Power Supply Administrations and Fire Department shall not be permitted

Chapter VIII

Green areas

Article 29

Land reclamation and greenery of areas shall be carried out based on the accepted plans.

Article 30

Land reclamation and greenery of areas around the building shall simultaneously be completed with completion of building.

Article 31



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Construction of residential, commercial, social and public buildings shall not be permitted in public green areas.

Article 32

Cutting and conveying of green trees in urban areas are prohibited.

Chapter IX

Engineering networks

Article 33

City engineering networks including water supply, canalization, power supply,

Telecommunication, central heating and other small networks shall be considered in a way in order to ensure fair condition for natural environment, high level of prosperity, livelihood and calmness for residents.

Article 34

- 1) Engineering networks shall be designed, based on city master plan, considering the conditions for protection of atmosphere of city.
- 2) Maps of engineering networks shall be designed in accordance with the agreement of implementing unit of Kabul master plan and preventive medicine of Ministry of Public Health.

Chapter X

Obligations

Article 35

The implementing unit of Kabul master plan is responsible to achieve the following obligations:

- 1) Providing constructional maps for individuals and institutions.
- 2) Granting permission for construction to individuals and institutions who have acquired land plots in the city.
- 3) Controlling the process of constructional work in the city, and observing its conformity with Kabul master plan.
- 1) Granting recommendation and guidance, based on city master plan, to institutions designing building and to individuals intending to design building in the city.
- 2) Helping professionally and methodically the relevant administrations in order to extend engineering networks, considering Kabul city master plan.

Article 36



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Dissection and consideration (approval) of arranged maps of individuals and institutions, shall be carried out by a delegation (commission) composed of representatives from relevant administrations considering master plan

Article 37

The Kabul municipality shall avoid constructing willful buildings in Kabul.

Chapter XI

Final Provisions

Article 38

Operational safety ways (tactical safety) shall be considered while constructing the building.

Article 39

Money allocation of building shall be applicable, after acceptance of project.

Article 40

While the building is being constructed, the following issues shall be carried out:

- 1) Controlling of the designing by project designer.
- 2) Technical controlling of the building by the bidder.
- 3) Assurance on existence of constructional controlling journal in the region where construction is under process.

Article 41

- 1) *Constructing buildings willfully within the scope of Kabul master plan is prohibited, in case of violation, the violators will be punished according to Shari provisions.*

Article 42

- 1) this decree shall enter in to force after being signed and shall be published in official gazette, with the entry into force of this decree ,the decree on implementation of Kabul master plan ,published in official magazine NO 730,on 15th Quos ,1369 Ajree Qamaree(1990)is repealed .

Annex B

Building Permit

Town Plans Developing and Implementing Directorate
Kabul Municipality
Within the Building of Kabul Municipality – Deh Afghanan
Telephone number: 070204712



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Municipality's Law and Regulations

Documentation required:

- 1) Application letter from the investor.
- 2) Land ownership deed from the Commercial Court.

A building permit is given only to those who own land in an area which is included in the government's Master Plan. Since in Afghanistan a foreigner cannot own a land, this permit affects only Afghan citizens. Foreign investors can use rental buildings for their business purposes. If the foreigner has leased land, the Afghan land owner must arrange for the building permits. If the foreign investor has an Afghan partner, the Afghan must obtain the building permit.

These procedures can be completed from ten days to several months. Five signatures are needed, the final one being that of the mayor of Kabul. Cost (Fee): Afs. 150 architectural fee. The fees for the Basement and the Blueprint tax vary depending on the extent of the area and the blueprint.

List of Fees and amounts:

- Fee for the building's blueprint (varies based on the construction and extent of the area)
- Fee for the Koroki (a sketch drawn of the construction location prepared by engineers in the field). This fee also varies based on the type of sketch and koroki. (A sketch or drawing of the building or site made by a team of one or more persons picked by the Director of their organization.)

A building permit is issued once and it does not require yearly renewal. Step by step process of acquiring the permit:

- 1) The investor submits an application letter to the Kabul Mayor requesting a permit to build a building.
- 2) Kabul Mayor reviews the letter to ensure that it is within the mandate of his/her office.
- 3) Mayor signs the letter, writes an order to the Town Plans Development and Implementation Directorate (TPDI) on the letter and gives it to the investor to take to that Directorate.
- 4) The Director of this Directorate also reviews the letter and writes an
- 5) order on the letter and the investor takes it to the Survey and Master
- 6) Plan Department to review the area and provide the Koroki (a sketch drawn of the construction location prepared by engineers in the field of the planned building.
- 7) If needed, before the Directorate sends its engineers into the field and starts reviewing and drawing, the Directorate seeks information about the land from separate directorates. This is done through sending copies of a letter to the Expropriation Directorate, the Properties

Directorate and to the Main Constructions Directorate:

- Expropriation Directorate: investigates the issue from the view point of whether it is a private or a state owned land via the Technical Estimation Department against the



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existing “Properties’ Plan”. After this review, it informs the TPDI Directorate of its findings by sending an official letter via the investor.

- Properties Directorate: investigates the issue from the view point of distribution, non-distribution, redistribution, repetitive distribution etc.; against the existing lands’ distribution books via the “Income Collection Department” and informs the TPDI Directorate by sending an official letter via the investor informing the Directorate of its findings.
- Main Constructions Directorate: this Directorate actually has no specific books or records in which to check the issue of the land ownership. A copy is sent to this directorate as a matter of routine (tradition) process. This directorate sends a letter to say that the land is not being registered in this department.
- If the information received from these three Directorates is satisfactory regarding land ownership, the TPDI Directorate sends one or more engineers to the site to make a Koroki.
- The TPDI Directorate collects all the official information regarding the land from these three Directorates and then presents this information to the Investigation and Assessment Commission for further consideration and eventually for decision making.

The Commission consists of:

- The Kabul Mayor as the Chair
- The Deputies of the Mayor as members
- The Director of the Properties Directorate as a member
- The Director of the Main Construction Directorate as a member
- The Head of Master Plan Department as a member

The commission reviews and discusses the issue of land distribution or building permits and makes the final decision regarding the validity of the land ownership and also the land use for the proposed building.

- When the Commission has reached its decision, the TPDI Directorate asks the Properties Directorate (by sending an official letter to it) to determine the land value and collect the appropriate fees from the investor.
- In Properties Directorate, expert engineers estimate the value of the land:
- Estimating the value of the land only (called empty land value).
- Estimating the value of the land plus and estimation of the cost of building on it (called filled land value).
- The investor must pay 20% of the filled land value to the Municipality account at the Da Afghanistan Bank branch No. 5 as security money.
- This payment process is initiated by the Income Collection Department. This department issues a letter to the bank branch asking them to receive the deposit from the investor. This process is done directly between the investor and the bank; it is not done through the Mustofiat. This 20% security deposit is kept safe in the Municipality account and whenever the construction progresses up to 50%, the investor can get back this security deposit.



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- TPDJ Directorate provides the final construction sketch and map (blueprint) based on the Koroki. Usually, however, the investor provides the construction map (blueprint) developed by a construction or architecture company and presents it to this Directorate.
- The Directorate reviews these blueprints for technical correctness regarding structural soundness, integrity, and safety. If the blueprints meets specification, they will approve (give a “visa” stamp) the blueprints.
- When the blueprints are approved and been issued a visa, the building permission is given to the investor.

The Process to Get Back the Security Money:

- When the construction has progressed to 50%, the investor can go to the Main Construction Directorate to ask for its confirmation of this fact.
- Personnel from the Main Constructions Directorate visit the building site to check the progress of the construction.
- If this Directorate confirms that construction is at least 50% complete, the investor can claim acquisition of the ownership deed through the Commercial Court and obtain the return of his/her security deposit.
- The investor submits an application letter to the Kabul Mayor. The investor is directed to the Commercial Court to obtain the ownership deed.
- Then the owner proceeds to the Income Collection Department with an official letter from Main Constructions Directorate to obtain the return his/her security deposit.
- This Department sends a letter to Da Afghanistan Bank and the security deposit can then be obtained by the investor.

Note:

- This process (return of deposited money) takes at least two days
- Distribution of commercial land is under the Industrial Parks Directorate of MMI.
- The above mentioned process is for those who either do not already own land or those who own land which is not included in the area under the master plan. These people can legally purchase several blocks based on the bidding process.
- For people who already own lands within the area of the master plan, the processes are very short. They only submit application letters and there are no need for paying security money and other related processes but they should follow all legal administrative process.